

**IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF ILLINOIS**

JANE DOE, by and through next friend **JOHN DOE**,
RICHARD ROBINSON, and **YOLANDA BROWN**, on
behalf of themselves and all other persons
similarly situated, known and unknown,

Plaintiffs,

v.

APPLE INC.,

Defendant.

Case No. 3:22-cv-02575-NJR

MOTION FOR LEAVE TO FILE UNDER SEAL

Apple Inc. (“Apple”) respectfully requests leave to file an unredacted copy of its instant motion to supplement the record, and the attachment thereto, under seal to comply with the Protective Order Regarding the Disclosure and Use of Discovery Materials in this matter. ECF No. 68 (“Protective Order”). In support of its request, Apple states:

1. Apple’s motion quotes from Plaintiff Robinson’s February 1, 2023 deposition and attaches an excerpt of the transcript. Under section 7(d) of the Protective Order, a party “may designate depositions and other testimony with the appropriate” confidentiality designation

on the record at the time the testimony is given or by sending written notice of how portions of the transcript of the testimony is designated *within thirty (30) days of receipt of the transcript* of the testimony. If no indication on the record is made, all information during a deposition shall be deemed “CONFIDENTIAL – ATTORNEYS’ EYES ONLY” until the time within which it may be appropriately designated as provided for herein has passed. [Emphasis added.]

2. The deadline for Mr. Robinson to designate testimony confidential has not elapsed.

3. **Wherefore**, to permit Mr. Robinson the time under the Protective Order to review the transcript and make confidentiality designations, and until he has made such an election under the Protective Order, Apple respectfully requests leave to file the deposition testimony under seal.

Dated: February 7, 2023

Respectfully Submitted,

Apple Inc.

By: /s/ Raj Shah

One of its attorneys

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Certificate of Service

I hereby certify that on February 7, 2023, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system. Notice of this filing will be sent by operation of the Court's electronic filing system to all counsel of record registered on the ECF system.

/s/ Russell Scott

Russell K. Scott